IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

THURSDAY, THE 4TH OCTOBER 2007 / 12TH ASWINA 1929

RP.No. 870 of 2005(L)

AGAINST THE JUDGEMENT/ORDER IN WPC.17549/2004
.....

PETITIONER/PETITIONER IN W.P(C):

K.V. DEVASSIA,
KARUKAPPILLY HOUSE, MELAMPARA P.O., KOTTAYAM DIST.
RETD. SECRETARY MELAMPARA SERVICE CO-OPERATIVE
BANK LTD., KOTTAYAM.

BY ADV. SRI.GEORGEKUTTY MATHEW

RESPONDENTS: RESPONDENTS:
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1. REGISTRAR OF CO-OPERATIVE SOCIETIES,
TRIVANDRUM.

2. JOINT REGISTRAR OF CO-OPERATIVE
SOCIETIES, KOTTAYAM.

3. KERALA STATE CO-OPERATIVE EMPLOYEES
PENSION BOARD P.C.28/2731/RAJASREE,
CHETTIKULANGARA, TRIVANDRUM.

4. MELAMPARA SERVICE CO-OPERATIVE BANK LTD.
NO.1662, MELAMPARA P.O., KOTTAYAM, REPRESENTED BY
ITS BOARD OF MANAGEMENT.

R4 BY ADV. SRI.JOSE J.MATHAIKAL
R1 AND R2 BY GOVERNMENT PLEADER SMT. SMITHA SOKAN
R3 BY ADV. SRI.P.V.MOHANAN

THIS REVIEW PETITION HAVING COME UP FOR ADMISSION ON 04/10/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

THOTTATHIL B. RADHAKRISHNAN, J.

R.P. NO. 870 OF 2005 IN
W.P.C. NO. 17549 OF 2004

Dated this the 4th day of October, 2007

O R D E R

Heard the learned counsel for the review petitioner, and the learned counsel for the fourth respondent.

2. This Review Petition is filed on the assumption that some of the questions raised in the Writ Petition are concluded against the interests of the petitioner. It is not so. The question of deferring the DA or granting exemption from paying DA is a matter that is pending before the Joint Registrar. It was therefore that writ petition was disposed of directing the Joint Registrar to conclude on the question of granting exemption from paying the DA as sought for by the employer-Bank. This means that on such a question being decided by the Joint Registrar, the fourth respondent-employer is bound to consider all other matters, including grant of any pay revision as sought for.

With this clarification, this review petition is disposed of.

(THOTTATHIL B. RADHAKRISHNAN)
Judge

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